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HOUSE BILL 1816 By
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SENATE BILL 2329
By Dixon

AN ACT to amend Tennessee Code Annotated, Title 41, relative to creating the "Family Visitation and Crime Reduction Act".

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "Family Visitation and Crime Reduction Act".

SECTION 2. Tennessee Code Annotated, Title 41, Chapter 21, Part 2, is amended by adding the following as a new, appropriately designated section:

41-21-243.

(a) The general assembly finds that maintaining an inmate's family and community relationships through enhancing visitor services and programs and increasing the frequency and quality of visits is an underutilized correctional resource that can improve an inmate's behavior in the correctional facility, and upon an inmate's release from a correctional facility, assist in reducing recidivism.

(b) The department of correction shall provide, at a minimum, the following services at designated visitation areas for approved visitors in each state correctional facility:

(1) Information relating to applicable visiting regulations, dress codes and visiting procedures;

(2) A sheltered area, either inside or outside the secure perimeter, for visitors waiting before and after visiting inmates;

(3) Food services with food choices, which are nutritious for child visitors; and

(4) A supervised area for child visitors with materials and supplies sufficient to assist staff and visitors in managing and occupying the time and meeting the needs of visiting children.

(c) Correctional officers assigned to visitation areas shall receive training on effective communication with family members and children of inmates, for the purpose of improving the quality of family visitation.

(d) Institutional disciplinary measures that restrict visitation with inmates' family members will only be implemented in cases where there is a valid security-related need for such disciplinary measures, and where the disciplinary infraction was directly and demonstrably related to an individual inmate's visitation.

(e) The department of correction shall report at least annually to the select oversight committee on corrections concerning the department's progress on implementing procedures and services that enhance, improve and encourage visitation.

(f) Necessary funding for the services required under this section shall be provided from the interest account of the inmate trust fund maintained by the department of correction.

SECTION 3. Tennessee Code Annotated, Section 41-21-206, is amended by deleting such section in its entirety and substituting instead the following:

Section 41-21-206.

Any relative or friend shall be allowed, in the presence of the warden or designated employee, to speak to and visit with any of the inmates pursuant to rules and policies of the department of correction. Each state institution shall have an area designated for visitation. The commissioner of correction may establish visitation guidelines and rules, including a system for prior approval of visitors.

SECTION 4. Tennessee Code Annotated, Section 41-1-403(2), is amended by deleting the subsection in its entirety and substituting instead the following:

(2) The commissioner of correction has the discretion to determine the institutional location of inmates within the various security classifications. The proximity of inmates to their family members shall be a valid consideration in determining the institutional location of such inmates, and absent security concerns or a lack of available bed space, the commissioner of correction shall endeavor to locate inmates in the geographical region that is closest to their families, for the purpose of facilitating family visitation; and

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.